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October 18, 2010

The Honorable Kathleen Sebelius
Secretary
Department of Health and Human Services
200 Independence Ave., S.W.
Washington, D.C. 20201

Dear Secretary Sebelius,

We are concerned about recent press accounts detailing a multi-million dollar escalation in the Obama Administration's advertising campaign with regard to the new health care law. Specifically, a second advertisement purchase has recently been made public for a commercial featuring Andy Griffith, which again fails to mention the one-half trillion dollars in Medicare cuts included in the Democrat health care overhaul which your own Medicare actuaries predict could jeopardize seniors' access to care and result in fewer benefits and higher costs for millions of seniors. FactCheck.org said the advertisements "mislead" and use "weasel" words and that the ad's "promise that 'benefits will remain the same' is just as fictional as the town of Mayberry was when Griffith played the local sheriff."

As you are aware, an independent audit by the nonpartisan Government Accountability Office (GAO) has already criticized the Department of Health and Human Services' (HHS) effort to "educate" seniors about the health care overhaul. Specifically, GAO stated that a brochure mailed to seniors "does not provide beneficiaries with a comprehensive summary of changes to Medicare that will be implemented as a result of [the Democrats' health overhaul], and in several instances it provides abbreviated information that leaves out details about [the Democrats' health overhaul]."

Unfortunately, HHS has decided to continue to repeat this misinformation aimed at seniors. An article in Friday's Politico reports that HHS is spending \$3 million in additional taxpayer money on television buys in October alone. Particularly troubling is that, according to the Politico article, HHS "insists that the ads are not political and that the spending is in line with what the agency has done in the past to advise seniors about the open enrollment period" yet "neither ad explicitly mentions Medicare's open enrollment period." Furthermore, press accounts point out that the advertisements are running in select regions of the country.

As part of this Committee's responsibility to ensure proper oversight of the Medicare program and expenditures of taxpayer funds, please provide detailed responses, in writing, to the following:

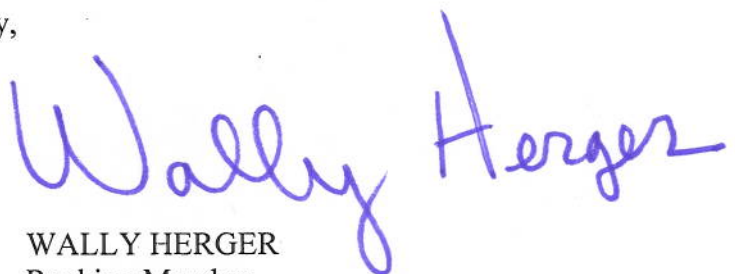
1. How much HHS spent on television advertisements targeted towards Medicare beneficiaries in the months of August, September, October, and November for each of the following years: 2007, 2008, 2009, and 2010. In the case of October and November, 2010, please include the expected expenditures;
2. For each television advertisement (including, but not limited to, the Andy Griffith, open enrollment, and Medicare and You advertisements), please provide a market by market analysis that specifies the cost, point totals, and spots per station, HHS has purchased in 2007, 2008, 2009, and 2010; and
3. If this message is important for all seniors to hear, please provide us with an explanation for why it was decided, and by whom, to only run these advertisements in certain areas of the country. As part of that, please provide all documents, including emails and other communications with the White House, the Democratic National Committee, Democratic Congressional Campaign Committee, and Democratic Senatorial Campaign Committee that pertain to the basis for decisions about where to run these advertisements.

As you know it would be highly inappropriate and perhaps illegal if HHS used taxpayer funds to purchase advertisements in areas of the country with the intent of impacting competitive Congressional races leading up to the election. Accordingly, we are also requesting that GAO fully investigate the appropriateness of the advertisements and the way in which they were placed.

Given the timely nature of this request and the possible implications of using taxpayer funds for political purposes, please respond by no later than October 22nd. We thank you in advance for your prompt and full response to this request.

Sincerely,


DAVE CAMP
Ranking Member
Committee on Ways and Means


WALLY HERGER
Ranking Member
Ways and Means Subcommittee on Health